

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

CHARLES R. WHITE, JR.

VS.

**JOSEPH D. EINCK AND
SUMMIT ENERGY SERVICES, INC.**

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§

CIVIL NO. 5:22-cv-00048

DEFENDANT SUMMIT ENERGY, SERVICES, INC.'S NOTICE OF REMOVAL

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TEXAS:

Pursuant to 28 U.S.C. §§ 1332 and 1441(a), Defendant, **SUMMIT ENERGY SERVICES, INC.**, hereby removes this action to the United States District Court for the Eastern District of Texas Texarkana Division from the 76th District Court of Titus County, Texas, stating as follows:

1. Plaintiff, Charles R. White, Jr., is a resident of Kaufman County and is a citizen of Texas.
2. Plaintiff commenced this action in the 76th District Court of Titus County, Texas, where it was given Cause No. 42501.
3. Defendant, Summit Energy Services, Inc., is a Delaware corporation organized under the law of the State of Delaware. Its principal place of business is in the State of Kentucky.
4. Defendant, Joseph D. Einck Newman has not been served, and thus his citizenship is irrelevant for purposes of removal.
5. Plaintiff and Defendant are citizens of different states, none of the Defendants are known to be citizens of Texas, and Defendant Summit is totally diverse from Plaintiff.
6. Defendant, Summit Energy Services, Inc. received the summons and complaint on March 18, 2022.
7. Defendant, Joseph D. Einck Newman has not been served.
8. A copy of all process, pleadings, and orders known in this case are attached as Exhibit A.

9. Defendant, Summit Energy Services, Inc. will provide written notice of this Notice of Removal to all adverse parties and will file a copy with the Clerk of the 76th District Court of Titus County, Texas.
10. Joseph D. Einck has not been served and therefore there is no need to obtain his consent for this removal.

Dated: **April 15th, 2022**

Respectfully submitted,

/s/ Michael Shane O'Dell

MICHAEL SHANE O'DELL

State Bar No. 24065835

CASH BARKER

State Bar No. 24116073

JAMES M. "JAMIE" PARKER, JR.

State Bar No. 15488710

NAMAN HOWELL SMITH & LEE, PLLC

1300 Summit Ave., Suite 700

Fort Worth, Texas 76102

Telephone: (817) 509-2044

Facsimile: (817) 509-2060

sodell@namanhowell.com

cbarker@namanhowell.com

jparker@namanhowell.com

**ATTORNEYS FOR DEFENDANT,
SUMMIT ENERGY SERVICES, INC.**

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of April 2022, the foregoing document, was filed with the Clerk of Court using the CM/ECF system, and was served on all counsel of record via E-mail:

gmlit@gmfirm.com

Donovan S. Brittan

State Bar No. 24107713

GODSEY MARTIN, PC.

15000 Surveyor Blvd.

Addison, TX 75001

ATTORNEY FOR PLAINTIFF

/s/ Michael Shane O'Dell

Michael Shane O'Dell